

ARGUMENTS

Rejection of Claims on Art Grounds in the 08/27/2004 Office Action, and Traversal Thereof

In the 08/27/2004 Office Action, claims 1-53 were rejected on prior art grounds, under 35 U.S.C. 102(a) and 35 U.S.C 103(a).

Claims 1, 7, 12, 22, 28, 33, 44, and 53 were rejected under 35 U.S.C. 102(a) as being anticipated by Workflow Management Coalition WfMC, “Workflow Management Coalition Workflow Standard-Interoperability Wf-XML Binding” (hereafter: WfMC).

Claims 2-6, 13-14, 16-21, 23-27, 34-35, 37-43, and 45-47 were rejected under 35 U.S.C. 103(a) as being unpatentable over Workflow Management Coalition WfMC, “Workflow Management Coalition Workflow Standard-Interoperability Wf-XML Binding” in view of Craven et al., “Goal and Processes: A Task Basis for Projects and Workflows”.

The Examiner has acknowledged that Claims 8, 15, 29, 36, and 48 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

The present invention is a method and system for developing a workflow and creating project plans from the workflow. More particularly, the invention is a method and system for improving a workflow based on data mined from project plans created from the workflow.

The Present Invention Is Novel Over The Cited WfMC Reference

As stated in MPEP §2131, a claim is anticipated under §102 only if each and every element as set forth in the claim, in as complete of detail, is found in a single prior art reference. The claimed invention, according to independent claims 1, 13, 20, 22, 34, 42 and 44 as currently amended call for a means or step of:

modifying the workflow to reflect the inconsistent characteristic of the at least one of the plans so that a subsequent plan created from the modified workflow has the

inconsistent characteristic, wherein the step of modifying comprising steps of:

determining whether the default-successor of the activity corresponds to the successor of the task; and

when it is determined that the default-successor of the activity does not correspond to the successor of the task, modifying the workflow to reflect the successor of the task.

As such, for the cited reference to be anticipatory, the reference must describe these identical elements or steps. In other words, the reference, to teach in as much detail as is claimed by the present invention, must disclose a means or steps of :

determining whether the default-successor of the activity corresponds to the successor of the task; and

when it is determined that the default-successor of the activity does not correspond to the successor of the task, modifying the workflow to reflect the successor of the task.

The cited MfMC reference does not teach the above underlined steps. Therefore, the cited MfMC reference cannot anticipate the present invention as currently claimed.

The Present Invention Is Not Obvious Over The Cited References

The cited MfMC and Craven et al references including the present application all broadly disclose steps for workflow management. However, none of the cited references disclose, suggest or teach a means or steps of determining whether the default-successor of the activity corresponds to the successor of the task; and

when it is determined that the default-successor of the activity does not correspond to the successor of the task, modifying the workflow to reflect the successor of the task. Therefore, the cited references, alone or in combination fail to contain any teaching or suggestion of the above

references disclose, suggest or teach a means or steps of determining whether the default-successor of the activity corresponds to the successor of the task; and
when it is determined that the default-successor of the activity does not correspond to the successor of the task, modifying the workflow to reflect the successor of the task. Therefore, the cited references, alone or in combination fail to contain any teaching or suggestion of the above underlined matter as it pertains to the currently amended independent claims. Support for the above underlined requirements can be found as original in cancelled claims 7, 8, 15, 28, 29, 36 and 48 of the present application. Thus, no new matter has been added by these amendments.

CONCLUSION

Claims 1-6, 9-14, 16-27, 30-35, 37-47, and 49-52, are believed to be patentable and allowable. If any issues remain outstanding, incident to the allowance of the application, Examiner Vo is respectfully requested to contact the undersigned attorney at (919)-664-8222 or via email at jinang@trianglepatents.com to discuss the resolution of such issues, in order that prosecution of the application may be concluded favorably to the applicant. This response is submitted to the USPTO via USPS Express Mail on 12/17/04.

Respectfully submitted,



Jinan Glasgow #42585
MacCord Mason, PLLC
PO Box 28539
Raleigh, NC 27611-8539
919-664-8222
919-664-8625 (fax)